

REMARKS

This Amendment and Response is in reply to the Office Action dated October 16, 2008. A three (3) month extension of time is filed herewith. Therefore, the time period for response extends up to and includes April 16, 2009. Applicant wishes to thank the Examiner for his careful review and consideration of this application.

Claims 1-20 remain pending in the present application.

Specification

In the Office Action, the specification was objected to because of an informality. Applicant has made the appropriate correction in accordance with the Examiner's suggestion. Withdrawal of the objection is requested.

§ 102(b) Rejection

Next in the Action, claims 1, 3, 6-8 and 11 were rejected under §102(b) as being anticipated by Tsukamoto et al. Applicant respectfully traverses the rejection.

Independent claims 1, 3, and 11 each substantially recite that the first end and the second end of the first resonator are arranged and configured to lie on the same side of the first resonator. Tsukamoto et al. does not disclose this feature. More specifically, in the Office Action it is argued that the "ends" of Tsukamoto et al. terminate in open circuit surfaces of the dielectric material. However, using this characterization (a point which Applicant does not concede) the first and second ends of Tsukamoto et al. are then located on opposing faces of the dielectric material and are the start and the termination of through-holes (e.g., see col. 3, lines 25-27). Accordingly, the first and second ends, as defined by the Examiner, do not lie on the same side of the resonator. Withdrawal of the rejection to independent claims 1, 3, and 11 is requested.

Claims 6-8 depend from claim 1 and so are also believed to be allowable over Tsukamoto et al. Applicant does not otherwise concede the correctness of the Examiner's rejection and reserves the right to make additional arguments as may be necessary.

§103 Rejection

The Examiner next rejected claims 2 and 10 under §103 as being obvious given Tsukamoto et al. in view of Setsune et al. Applicant respectfully traverses the rejection.

First, as discussed above, Tsakamoto et al. does not disclose Applicant's invention recited in claim 1. Since claims 2 and 10 ultimately depend from claim 1, Tsakamoto et al. does not disclose the invention recited in those claims. Setsune et al. does not remedy the deficiencies of Tsakamoto et al. either alone and/or in combination.

Second, Applicant does not believe that it is proper to combine the references as suggested by the Examiner. The Tsukamoto et al. and Setsune et al. disclosures significantly differ from one another such that there is no suggestion and/or teaching to combine the references together. Further, even if the references were somehow combined, Applicant's invention would not result thereby since the first and second ends of the first resonator would not be located on the same side of the first resonator.

In view of the foregoing, Applicant respectfully requests withdrawal of the rejection.

Allowed Subject Matter

Applicant wishes to thank the Examiner for indicating that claims 9 and 15 would be allowable if re-written in independent form. Applicant has not re-written the claims at this time, however, in view of the arguments provided above. Applicant also wishes to thank the Examiner for indicating that claims 4, 5, 16-20, 12, 13 and 14 are allowable over the prior art of record.

Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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